

**REMARKS**

This Amendment After Final is in response to the Office action mailed May 20, 2009. It is believed that no fees are necessary in connection with the present amendment. However, in the event any fees are due, kindly charge the cost thereof to our Deposit Account No. 13-2855.

**Status of the Claims**

Claims 25-27 were pending in the present application. Previously-withdrawn claims 26 and 27 have been canceled in an effort to advance the prosecution of the present application toward allowance, but the Applicant reserves the right to file a divisional application directed to any non-elected claims of the present application. Claim 25 was amended to read "...wherein each guide member extends outwardly from its respective side and comprises a first elongate member disposed in a plane perpendicular to the plane of the opposing sides and a second elongate member disposed in a plane parallel to the plane of the opposing sides, said first elongate member having a first end attached to said respective side and a second end spaced from said respective side, and wherein said second elongate member is attached to said second end of said first elongate member and extends at least partially along a length of said second end." This amendment is supported by the specification as-filed, for example in the drawings at FIG. 25 and page 7, lines 3-11 (Para. [0019] of US Publication No. 2007/0172293 A1), and does not add any new matter.

**Response to Rejection Under 35 U.S.C. § 102**

Claim 25 was rejected under 35 U.S.C. § 102(b) as allegedly anticipated by Huss et al., U.S. Patent No. 6,520,696 ("Huss"). It is noted that Huss is a newly-cited reference and it is not believed that any previous amendments on the part of the Applicant in the present application precipitated the new grounds for rejection. Withdrawal of the finality of the Office action is

therefore respectfully requested. Alternately, it is respectfully submitted that none of the amendments or arguments herein raise issues requiring further searching or examination, so allowance of the present application is respectfully requested.

It is respectfully submitted that claim 25, as amended, is not anticipated by Huss. As amended, claim 25 recites that the cassette has a first direction which is parallel to an axis of rotation of the roll of the print receiving medium, and a second direction perpendicular to the first direction. The claim further recites that the guide members are for "guiding the tape cassette into a tape printer in the second direction". In other words, the guide members, as illustrated, for example, in Figures 24 and 25, are for guiding the cassette into a printer in a direction perpendicular to the axis of rotation of the tape supply, i.e., the guide members facilitate lateral insertion of the cassette into a printer.

This contrasts with the cassette of Huss, which is configured to be inserted into a printer in a direction parallel to the axis of rotation of the tape supply, *i.e.* vertical insertion. Evidence that the cassette of Huss is configured for vertical insertion is shown, for example, in lines 36 to 41 of column 6 of the reference, in which it is disclosed that the cassette of Huss comprises cartridge detecting holes 71 (see Figure 6) which are configured to be aligned with one or more plunger switches associated with the printer. One of ordinary skill in the art at the time of the invention would understand from this disclosure that such a configuration is intended for a vertically inserted cassette.

Therefore, the cassette of Huss is not suitable for lateral insertion into a printer. As discussed in the second paragraph of page 3, in the Background section of the present application, there are disadvantages with vertical loading arrangements such as that the tape and/or ink ribbon may catch on elements of the printer such as the printhead and/or platen, thus damaging the tape

and/or ink ribbon. Furthermore, such cassettes have portions of the tape/ink ribbon extending outside the housing of the cassette. Accordingly, the tape and/or ink ribbon may be damaged during storage as well as during use.

Such problems are overcome by embodiments of the cassette of the Applicant's claim 25, as amended, which may be inserted laterally into a printer. In particular, amended claim 25 recites that one of the members of the guide member is disposed in a plane perpendicular to the opposing sides, and a second member of the guide member is disposed in a plane parallel to the opposing sides. The first elongate member of Huss referenced in the Office action is perpendicular to a length of a side of the cassette of Huss, and the second elongate member of Huss referenced in the Office action is parallel to a length of the opposing side. However, all portions of the guide portion of Huss are perpendicular to a plane of the side of the cassette.

Claim 25 as amended now clearly structurally distinguishes over Huss in that it now states "wherein each guide member extends outwardly from its respective side and comprises a first elongate member disposed in a plane perpendicular to the plane of the opposing sides and a second elongate member disposed in a plane parallel to the plane of the opposing sides, said first elongate member having a first end attached to said respective side and a second end spaced from said respective side, and wherein said second elongate member is attached to said second end of said first elongate member and extends at least partially along a length of said second end". Such a guide member arrangement is clearly not shown in Huss.

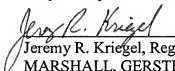
It has been established above that the cassette of Huss is not suitable for lateral insertion into a printer. However, even if it were, the "2<sup>nd</sup> elongate member" (as characterized in the Office action) would be completely redundant during a lateral insertion procedure, inasmuch as it is completely blocked by the "1<sup>st</sup> elongate member". In contrast, embodiments of the cassette of

the Applicant's claim 25 are particularly well suited for lateral printer insertion. See, for example, the embodiment shown in Figures 24 and 25 in which the guide members are generally T-shaped. Such an arrangement enables the cassette to be accurately inserted laterally into the printer, and once inserted, for it to be held securely in both horizontal and both vertical directions.

In view of these structural distinctions and advantages over Hess, it is respectfully submitted that claim 25, as amended, is not anticipated by Hess. Withdrawal of the rejection and allowance of the application are respectfully solicited. If the Examiner has any questions that might easily be resolved by telephone, the Examiner is invited to contact the Applicant's undersigned representative at (312) 474-6300.

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Respectfully submitted,

  
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